

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/11/2023

UNITED STATES OF AMERICA,

- against -

ADAM BANFILL,

Defendant.

21 CR 468 (VM)

ORDER

**VICTOR MARRERO, United States District Judge.**

This Court sentenced defendant Adam Banfill ("Defendant") to time served and three years of supervised release on April 7, 2023 upon his conviction for threatening interstate communication. On June 22, 2023, the United States Probation Department for the Southern District of New York (the "Probation Department") emailed the Court a report on Defendant's alleged violation of supervised release with a single pending specification ("Specification One") regarding his alleged failure to participate in mental health treatment. Specification One specifically states that on or about June 20, 2023, Defendant failed to participate in mental health treatment, in that he was discharged from the Kalamazoo Probation Enhanced Program, an inpatient treatment program, after violating several program rules. The Probation Department further requested that the Court issue an arrest

warrant. The Court issued an arrest warrant on June 22, 2023, and Defendant was arrested in Michigan.

On July 7, 2023, upon request of defense counsel, the Court held a telephonic conference to address the justification for the arrest warrant, and at which Defendant's appearance was formally waived. After hearing the parties' positions, the Court ordered, among other things, that the arrest warrant of Defendant be vacated and that he be returned to his district of residence in the Western District of Michigan. (See Dkt. No. 55.)

On July 26, 2023, defense counsel filed a letter requesting that the Court vacate the pending specification against Defendant and formally transfer jurisdiction of Defendant's supervised release to the Western District of Michigan. (See Dkt. No. 57.) The Court held a telephonic conference on July 28, 2023 to address defense counsel's requests and again, at which Defendant's appearance was formally waived. At the hearing, the Court directed the parties to clarify by letter the Court's authority to vacate Defendant's specification without a hearing and a formal appearance. The parties filed a joint letter on July 31, 2023, in response to the Court's directive at the July 28, 2023 conference. (See Dkt. No. 59.)

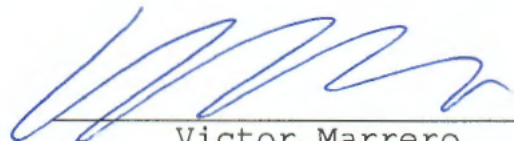
The Court reviewed the parties' letter dated July 31, 2023, and considered their respective positions as stated in the letter and raised at the July 28, 2023 teleconference. Accordingly, it is hereby

**ORDERED** that Defendant's pending specification, Specification One, for his alleged violation of supervised release be vacated; and it is further

**ORDERED** that jurisdiction of Defendant's supervised release be formally transferred to the Western District of Michigan. The Clerk of Court is respectfully directed to terminate any pending motions.

**SO ORDERED.**

Dated: 11 August 2023  
New York, New York

  
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Victor Marrero  
U.S.D.J.